United Nations S/2001/755

Security Council

Distr.: General
1 August 2001
English
Original: Arabic

Letter dated 28 July 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 28 July 2001 from Mr. Tariq Aziz, Deputy Prime Minister and Acting Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing violations of Iraq's international boundaries committed by United States and British warplanes flying across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 7 to 20 July 2001.

The Minister urges you to instruct UNIKOM to perform its duties in full and to report these violations to the Security Council through you, given that they constitute wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations, and he asks you to alert the Security Council to its responsibility to halt the aggression and hold the aggressors accountable for it under international law.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

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Annex to the letter dated 28 July 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 12 July 2001 (S/2001/702, annex), I should like to inform you that United States and British warplanes committed 282 violations of Iraq's international boundaries from Kuwait and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 7 to 20 July 2001. On the basis of the table appended to this letter, the relevant Iraqi authorities have determined that the violations committed were as follows:

1. Armed and hostile aerial activity by the United States and the United Kingdom, violating our international boundaries by way of the demilitarized zone, comprised 282 sorties in the following governorates: Basrah, Dhi Qar, Muthanna, Wasit, Maysan and Qadisiyah.

2. Our technical systems identified the aircraft violating Iraq's airspace on an almost daily basis as American F-14s, F-15s, F-16s and F-18s and British Tornadoes.

3. All of the armed and hostile sorties that violated Iraq's airspace by way of the demilitarized zone received support from an AWACS aircraft operating inside Saudi Arabian airspace and an E-2C aircraft operating inside Kuwaiti airspace.

4. A total of 12 remotely piloted aircraft violated Iraq's airspace from Kuwait by way of the demilitarized zone between 7 and 20 July 2001.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The fair-minded nations of the world, including most of the Arab countries, have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. Three countries that are permanent members of the Security Council, namely the Russian Federation, China and France, have stated that the enforcement of the no-flight zones in northern and southern Iraq has no basis in any principle of international law. Mr. Boutros Boutros-Ghali, your predecessor as Secretary-General, has stated that the claim made by the United States that Security Council resolution 688 (1991) authorizes the imposition of the no-flight zones is groundless. At your press conference of 27 June 2001, you said that there was no basis in the resolutions of the Security Council for the imposition of the no-flight zones in northern and southern Iraq. Your actual words were (SG/SM/7865):

> "You know my position on this, and I have indicated that when you analyse and read the Security Council resolutions I do not see the Security Council resolutions as a basis for that."

The violations being committed by United States and British military aircraft, in which 10 to 20 of them are used daily, are tantamount to an undeclared war. It is imperative that the United Nations should take the measures that are required in their regard under the Charter, so that the aggression may be halted and those who

have committed the violations may be charged with full international responsibility for them, including liability for payment of compensation to Iraq.

The statements of UNIKOM to the effect that it is unable to monitor or identify these aircraft cannot be maintained in the light of the scientific and technological capabilities that are available or that UNIKOM is in a position to acquire and utilize in order to fulfil the requirements of its mandate by establishing the identity and country of the warplanes that are violating Iraq's sovereign airspace and thence taking deterrent measures against the aggressors.

I accordingly urge you once more to instruct UNIKOM to perform its duties in full and to report these violations to the Security Council through you immediately they occur, given that they constitute wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations, and I ask you to alert the Security Council to its responsibility to halt the aggression and hold the aggressors accountable for it under international law.

(*Signed*) Tariq **Aziz**
Deputy Prime Minister
Acting Minister for Foreign Affairs

Enclosure

Hostile aerial activity violating Iraq's international boundaries from Kuwait, 7-20 July 2001

No.	*Date*	*From*	*Time*	*Type*	*Sorties*	*Altitude (metres)*	*Speed (km/h)*	*Areas overflown*
1	7-13 July	Kuwait	0725-0100	F-14, F-15, F-16, F-18	128 (with 6 drones)	8,000-10,000	180-780	Qurnah, Basrah, Jalibah, Umm Qasr, Nasiriyah, Rifa'i, Samawah, Amarah
2	14-20 July	Kuwait	0845-2145	F-14, F-15, F-16, F-18	154 (including 6 drones)	8,500-11,000	180-780	Basrah, Nasiriyah, Qurnah, Amarah, Afak, Hayy, Samawah, Jalibah, Artawi

Total sorties: 282.